

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

NATHANIAL TESSNER,

Defendant.

Case No. 1:21-cr-20321

Honorable Thomas L. Ludington
Magistrate Judge Patricia T. Morris

**ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION,
ACCEPTING DEFENDANT'S PLEA OF GUILTY, AND TAKING RULE 11 PLEA
AGREEMENT UNDER ADVISEMENT**

On August 30, 2021, Magistrate Judge Patricia T. Morris conducted a plea hearing upon Defendant Nathaniel Tessner's consent. Judge Morris issued her Report and Recommendation on August 31, 2021, recommending that this Court accept Defendant's guilty plea. ECF No. 23.

Although Judge Morris's Report stated that the parties could object and seek review within 14 days of service of the Report, neither Plaintiff nor Defendant have objected. The failure to object waives any right to appeal Judge Morris's finding that Defendant was competent to enter a plea and that the plea was entered knowingly, voluntarily, without coercion, and with a basis in fact. *See* FED. R. CRIM. P. 11(b); *Thomas v. Arn*, 474 U.S. 140, 149 (1985).

Accordingly, it is **ORDERED** that Magistrate Judge Morris's Report and Recommendation, ECF No. 23, is **ADOPTED**.

Further, it is **ORDERED** that Defendant's guilty plea is **ACCEPTED**, and the Rule 11 Plea Agreement, ECF No. 22, is taken **UNDER ADVISEMENT**.

Dated: September 17, 2021

s/Thomas L. Ludington
THOMAS L. LUDINGTON
United States District Judge